

Appln. No. 10/682,225
Docket No. 41PR-09040/GEN-0292-P

REMARKS / ARGUMENTS

Status of Claims

Claims 1-20 are pending in the application and stand rejected on the ground of non-statutory obviousness-type double patenting. No claim amendments have been made, and therefore under 37 CFR 1.121, no claim listing is provided herewith.

For reasons set forth below, Applicant respectfully submits that the rejections under non-statutory obviousness-type double patenting have been overcome, that no new matter has been entered, and that the application is in condition for allowance.

Double Patenting

Claims 1-20 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-17 of U.S. Patent No. 6,678,135. Applicant herewith submits an executed terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome this rejection.

In light of the forgoing, Applicant respectfully submits that the Examiner's rejections have been traversed, and respectfully requests that the Examiner reconsider and withdraw these rejections.

If a communication with Applicant's Attorneys would assist in advancing this case to allowance, the Examiner is cordially invited to contact the undersigned so that any such issues may be promptly resolved.

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The Commissioner is hereby authorized to charge the requisite terminal disclaimer fee under 37 CFR 1.20(d) to Deposit Account No. 06-1130.

The Commissioner is hereby authorized to charge any additional fees that may be required for this amendment, or credit any overpayment, to Deposit Account No. 06-1130. In the event that an extension of time is required, or may be required in addition to that requested in a petition for extension of time, the Commissioner is requested to grant a petition for that extension of time that is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to the above-identified Deposit Account.

Respectfully submitted,

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